



## Wylie City Council

# NOTICE OF MEETING

### Regular Meeting Agenda

May 10, 2011 – 6:00 p.m.

Wylie Municipal Complex – Council Chambers  
300 Country Club Road, Building #100

Eric Hogue.....	Mayor
M. G. "Red" Byboth.....	Mayor Pro Tem
David Goss.....	Place 1
Kathy Spillyards.....	Place 3
Bennie Jones.....	Place 4
Rick White.....	Place 5
Carter Porter.....	Place 6
Mindy Manson.....	City Manager
Richard Abernathy.....	City Attorney
Carole Ehrlich.....	City Secretary

*In accordance with Section 551.042 of the Texas Government Code, this agenda has been posted at the Wylie Municipal Complex, distributed to the appropriate news media, and posted on the City website: [www.wylietexas.gov](http://www.wylietexas.gov) within the required time frame. As a courtesy, the entire Agenda Packet has also been posted on the City of Wylie website: [www.wylietexas.gov](http://www.wylietexas.gov).*

*The Mayor and City Council request that all cell phones and pagers be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to respond to a page or to conduct a phone conversation.*

*The Wylie Municipal Complex is wheelchair accessible. Sign interpretation or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Secretary's Office at 972-516-6020.*

### CALL TO ORDER

*Announce the presence of a Quorum.*

### INVOCATION & PLEDGE OF ALLEGIANCE

### PRESENTATIONS

- Unveiling and Dedication of the City of Wylie Seal
- Nik Molina from Birmingham Elementary won the raffle for Mayor for a Day.
- Proclamation EMS Week: May 15<sup>th</sup> – 21<sup>st</sup>

### CITIZENS COMMENTS ON NON-AGENDA ITEMS

*Residents may address Council regarding an item that is not listed on the Agenda. Residents must provide their name and address. Council requests that comments be limited to three (3) minutes. In addition, Council is not allowed to converse, deliberate or take action on any matter presented during citizen participation.*

## **CONSENT AGENDA**

---

*All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

- A. **Consider, and act upon, approval of the Minutes of the April 26, 2011 Regular Meeting of the Wylie City Council and the Minutes of the May 3, 2011 Special Called Work Session of the Wylie City Council.** *(C. Ehrlich, City Secretary)*
- B. **Consider, and act upon, authorizing the City Manager to terminate an Ad Valorem Tax Abatement and Sales Tax Reimbursement Agreement between the City of Wylie, the Wylie Economic Development Corporation, Greenway-Springs, Ltd., Greenway-Columbia, L.P., and Greenway-Wylie, L.P.** *(S. Satterwhite, WEDC Executive Director)*
- C. **Consider and act upon authorizing the City Manager to enter into a Compromise Settlement Agreement and Release between the City of Wylie and ARCHITEXAS, effective May 2, 2011; ratifying all actions taken by the City Manager to effectuate the settlement.** *(M. Manson, City Manager)*

## **REGULAR AGENDA**

---

### **Public Hearings**

1. **Hold a Public Hearing and consider and act upon a Replat for Keller's First Addition, Lots 1R-1 & 2, Block 3, to combine 2 lots into a single lot for the development of a medical office and to create Lot 2 for future development.** *(R. Ollie, Planning Director)*

#### **Executive Summary**

The property totals 1.115 acres and would create one Commercial lot (Lot 1R-1, Block; 3) consisting of 0.494 acres and one commercial lot (Lot 2, Block 3) being 0.621 acres in size. Lot 1R-1 is situated in both the Commercial Corridor District and within the Downtown Historic District. The property was originally platted in the early sixties as Keller's First Addition and has undergone several replats since that time.

2. **Hold a Public Hearing and consider, and act upon amending Zoning Ordinance 2005-58, Article 4, Section 4.3 Nonresidential Design Standards (F. Architectural Features); regarding exterior building materials. ZC2011-04** *(R. Ollie, Planning Director)*

#### **Executive Summary**

The current Zoning Ordinance requires brick as the primary exterior building material for nonresidential construction. The ordinance also requires at least 20 percent stone on the front façade. The ordinance calls for visual variety and/or architectural detailing and to utilize two complementary primary façade materials. Again, the only allowed primary material is brick. The proposed amendment would clearly define primary exterior materials for non-residential development as well as secondary materials. This amendment would allow for flexibility, while also achieving the required visual variety and ensuring durability of materials.

**General Business**

3. **Consider, and act upon, the appointment of a 2011 Board and Commissions City Council Interview Panel to conduct the May/June 2011 board applicant interviews.** *(C. Ehrlich, City Secretary)*

**Executive Summary**

Each year the City Secretary's Office solicits and compiles applications from Wylie residents wishing to serve on various Wylie Boards and Commissions. These applications are received through the year until May 25<sup>th</sup> of each calendar year. Additionally, in May/June of each year, the applications are compiled into appointment timeframes to allow the three council member panel time to interview each applicant and subsequently choose a list of applicants to recommend to the full Council to serve two year terms on the various boards. The terms are staggered so each year approximately half of the members serving on each board and commission are appointed.

4. **Consider and act upon, the appointment of a board member to the North Texas Municipal Water District Board to fill an expired term of June 1, 2011 to May 31, 2013.** *(C. Ehrlich, City Secretary)*

**Executive Summary**

The Board of Directors of North Texas Municipal Water District is a policy making body similar in nature to the City Council. The Board is responsible to both the State of Texas and to the member cities for assuring that NTMWD operations occur in accordance with state and federal law, in alignment with NTMWD policy, and in the best interests of the cities receiving services. In accordance with the statute creating the District (Article 8280-141), the qualifications of a director include the following: "No person shall be appointed a Director unless he resides in the city from which he is appointed. No member of a governing body of a city and no employee of a city shall be appointed as a Director." Under other state law, no other government official that receives compensation could be appointed. NTMWD is requesting that by majority vote, the Wylie City Council reappoint Mr. Robert Thurmond, Jr. or appoint another Director to serve a term from June 1, 2011 to May 31, 2013.

5. **Consider, and act upon, authorizing the City Manager to enter into a contract with Pavement Restoration Inc. in the amount of \$55,792.00 for asphalt surface maintenance on City streets.** *(M. Sferra, Public Services Director)*

**Executive Summary**

As asphalt ages from exposure to the sun and elements, the asphalt oxidizes and becomes brittle and prone to cracking. Pavement Restoration, Inc. provides a service whereby they apply petroleum oils and resins to asphalt streets. This product penetrates into the existing asphalt to replenish the loss of original oils and resins. The result is that the asphalt is restored, becomes flexible instead of brittle, and the life of the streets are extended for another five to seven years. At that point, the process can be repeated again to further extend the life of the street even more. This product has been used by other cities and counties in Texas with good results. Staff has checked references at the City of Lubbock, City of Brownsville, and Travis County and found that these entities are very satisfied with the product and the contractor. They have multi-year contracts for the service and agree that it is a cost-effective measure over the traditional milling and overlay process.

6. **Consider, and act upon, authorizing the City Manager to execute an agreement with U.S. ROW for right-of-way acquisition services for the Stone Road Phase II paving project.** *(C. Holsted, Engineering Director)*

**Executive Summary**

The Stone Road Phase II project includes approximately 2,800 linear feet of a 4-lane paving section from Akin Lane to W.A. Allen Blvd and approximately 1,900 linear feet of paving of FM 544 south of Stone Road to Collins Blvd. 1,300 linear feet of off-site drainage is also included in the project. The construction plans are 90% complete and the projected construction cost for the project is \$4.7 million.

7. **Consider, and act upon, Resolution No. 2011-11(R) designating the former Library building, located at 800 Thomas Street, to be set aside and reserved for use as a new Senior Citizen Center.** (*M. Manson, City Manager*)

**Executive Summary**

At the request of Mayor Hogue, this item has been placed on the agenda for Council consideration. A consensus was reached during FY 2010-11 Budget Work Sessions that the former Library building be reserved for future use as a new Senior Citizen Center; however, no formal action has been taken to ratify that decision. The Resolution is intended to formally designate and reserve the former Library for the use of a Senior Citizen Center and to memorialize that decision.

---

**WORK SESSION**

- **Remodel and Design of Public Safety Building, (Old Municipal Complex)**  
(*J. Butters, Assistant City Manager*)

---

**ADJOURNMENT**

---

**CERTIFICATION**

*I certify that this Notice of Meeting was posted on this 6th day of May 2011 at 5:00 p.m. as required by law in accordance with Section 551.042 of the Texas Government Code and that the appropriate news media was contacted. As a courtesy, this agenda is also posted on the City of Wylie website: [www.wylietexas.gov](http://www.wylietexas.gov).*

---

Carole Ehrlich, City Secretary

---

Date Notice Removed